

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE: GENERIC PHARMACEUTICALS
PRICING ANTITRUST LITIGATION

MDL 2724
16-MD-2724

THIS DOCUMENT RELATES TO:
*The State of Connecticut, et al. v.
Teva Pharmaceuticals USA, Inc., et al.*

HON. CYNTHIA M. RUGE
19-cv-2407-CMR

ORAL ARGUMENT REQUESTED

**CERTAIN DEFENDANTS' MOTION TO DISMISS
THE PLAINTIFF STATES' OCTOBER 31, 2019 AMENDED COMPLAINT
FOR VIOLATING THE DOCTRINE AGAINST CLAIM SPLITTING**

For the reasons stated in the accompanying Memorandum of Law, undersigned Defendants (“Defendants”), by and through their respective counsel and pursuant to Federal Rules of Civil Procedure 12(b)(6) and 12(f), hereby move to dismiss the Plaintiff States’ October 31, 2019 Amended Complaint (ECF No. 106) in its entirety for violating the doctrine against claim splitting. In the alternative, Defendants request that the Court dismiss the October 31, 2019 Amended Complaint without prejudice with to leave to refile subject to the removal of (i) overlapping factual allegations, claims, and legal theories or incorporation of any other complaints by reference and (ii) any duplicative statutory penalties or other duplicative relief sought.

Pursuant to Local Rule 7.1(f), Defendants respectfully request oral argument on this Motion.

Date: November 2, 2020

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